



**MINUTES  
of the  
THREE-HUNDRED-SIXTY-SECOND MEETING  
of the  
LEGISLATIVE COUNCIL  
December 14, 2015  
Santa Fe**

The three-hundred-sixty-second meeting of the Legislative Council was called to order on Monday, December 14, 2015, at 10:20 a.m. in Room 307 of the State Capitol by Speaker Don L. Tripp, co-chair.

**Present**

Sen. Mary Kay Papen, Co-Chair  
Rep. Don L. Tripp, Co-Chair  
Rep. Alonzo Baldonado  
Sen. Carlos R. Cisneros  
Rep. Brian Egolf  
Rep. Kelly K. Fajardo  
Sen. Stuart Ingle  
Sen. William H. Payne  
Sen. Clemente Sanchez  
Sen. William E. Sharer  
Sen. John Arthur Smith  
Rep. Sheryl Williams Stapleton

**Absent**

Rep. Doreen Y. Gallegos  
Rep. Nate Gentry  
Rep. W. Ken Martinez  
Sen. Michael S. Sanchez

**Special Advisory Members Present**

Rep. Eliseo Lee Alcon  
Sen. Lee S. Cotter  
Rep. Roberto "Bobby" J. Gonzales  
Sen. Ron Griggs  
Rep. Jason C. Harper  
Sen. Daniel A. Ivey-Soto  
Rep. James Roger Madalena  
Sen. Cisco McSorley  
Sen. Mark Moores  
Sen. Michael Padilla  
Sen. Cliff R. Pirtle  
Rep. Jane E. Powdrell-Culbert  
Rep. Debbie A. Rodella  
Rep. Jim R. Trujillo

**Special Advisory Members Absent**

Sen. Pete Campos  
Rep. Gail Chasey  
Rep. Rick Little  
Sen. George K. Munoz  
Rep. Andy Nunez  
Rep. Dennis J. Roch  
Rep. Patricia Roybal Caballero  
Sen. Benny Shendo, Jr.  
Rep. Carl Trujillo

**Staff**

Raúl E. Burciaga, Director, Legislative Council Service (LCS)

John Yaeger, Assistant Director for Legislative Affairs, LCS  
Amy Chavez-Romero, Assistant Director for Drafting, LCS  
Kathy Pacheco-Dofflemeyer, Assistant Director for Administration, LCS  
Jeret Fleetwood, Researcher, LCS

### **Approval of Minutes**

On a motion made, seconded and unanimously passed, the corrected minutes of the three-hundred-sixtieth meeting of the council, from June 29, 2015, were approved.

On a motion made, seconded and unanimously passed, the minutes of the three-hundred-sixty-first meeting of the council, from September 14, 2015, were approved as submitted.

### **Interim Committee Requests**

On a motion made, seconded and passed, the council authorized the Disabilities Concerns Subcommittee to hold an additional meeting.

Mr. Burciaga said that the New Mexico Finance Authority Oversight Committee was requesting a January meeting to review the list of projects approved by the Water Trust Board. He noted that the council traditionally has not allowed January interim committee meetings.

Representative Powdrell-Culbert asked the council to authorize a one-day meeting during the week of January 12 to review Water Trust Board projects, noting that the board tried to provide the committee with a project list at its last meeting but ultimately could not.

The council authorized the New Mexico Finance Authority Oversight Committee to hold an additional one-day meeting in January.

### **Per Diem Approval**

Mr. Burciaga explained that, although the Rio Grande Trail Commission and the Chief Hearing Officer Selection Committee were executive functions, the council had appointed some legislative members to serve on them.

On a motion made, seconded and passed, the council approved per diem and mileage reimbursement for legislative members appointed to serve on the Rio Grande Trail Commission and the Chief Hearing Officer Selection Committee.

Mr. Burciaga explained that the Investments and Pensions Oversight Committee had planned to request an extra meeting day to consider endorsing additional legislation, but the Revenue Stabilization and Tax Policy Committee agreed to add the legislation to its agenda.

On a motion made, seconded and passed, members of the Investments and Pensions Oversight Committee who had no extra committee meeting days left were authorized to receive

per diem and mileage reimbursement for attending the December 15-16 meeting of the Revenue Stabilization and Tax Policy Committee.

### **Use of Chambers**

On a motion made, seconded and passed, the council approved the use of the house and senate chambers for the YMCA Youth in Government Program on April 17-19, 2016.

### **Staff Reports**

Mr. Burciaga explained that several interim projects have been completed, including a new voting system in the house, a new legislative website and a family/handicapped-accessible restroom on the second floor.

Mr. Burciaga also noted that the recent Law School for Legislators program had about 20 attendees.

Mr. Burciaga also said that the United States Census Bureau is beginning to work on the 2020 census and would hold a briefing in April 2016 for elections officials.

Senator Sharer said that the legislature has been considering tax reform bills for a few years, but that a lack of data regarding exemptions in the tax code made the task especially difficult. He explained that \$125,000 had been approved by the council for the Revenue Stabilization and Tax Policy Committee to study tax exemptions and other data, but the amount was insufficient relative to the amount of work and expertise required of such a study. He suggested using unspent interim committee funds, plus a transfer from legislative cash balances, in addition to the \$125,000 already appropriated to begin a tax study as soon as possible. He also suggested adding additional money to House Bill 1 for another study.

The council discussed Senator Sharer's suggestion, including whether additional money should be included in House Bill 1 or House Bill 2; using in-state versus larger, out-of-state groups for the studies; and whether it is necessary to act in December on beginning to fund studies, or if they can wait another month until the legislative session is under way.

Senator Sharer moved that \$125,000 be transferred from legislative cash balances and combined with \$125,000 in unspent interim committee expenses to immediately fund a tax study. However, there was no second to the motion.

Representative Egolf suggested that a meeting be held for leadership to discuss State Capitol security concerns. Representative Fajardo asked that the sergeants-at-arms be included in any security-related meetings.

There being no further business, the council adjourned at 11:45 a.m.